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MAR 18 2004

Attorney Docket No. 000190

PATENT

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#9

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of )  
Maloney et al. )  
Serial No.: 09/755,312 ) Batch No.: Unknown  
Filed: December 19, 2000 ) Examiner: William D. Cumming  
For: SYSTEM AND METHOD FOR ) Group Art Unit: 2683  
PRE-PREOGRAMMING A ... )

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY UNDER 37 CFR 1.137(b))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. This application became abandoned on February 19, 2004.
2. This petition is filed:

- within one year of the date of abandonment.  
 within three months of the date of the first decision on a petition to revive under 37 CFR 1.137(a) which was filed within one year of the date of abandonment.  
 the three month period has been extended up to (Type Date).  
 enclosed is a petition and fee for extension of the three month period to (Type Date).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

March 12, 2004

(Date of Deposit)

Theresa Badet

(Name of the Person Making the Deposit)

  
(Signature)

3. This application became abandoned unintentional.

4. Proposed response:

- has been filed.
- is attached.
- Other. An Office Action was mailed July 10, 2003. Applicants filed a response to the Office on July 24, 2003. Attached is a copy of the Amendment filed on July 24, 2003, along with a copy of the return postcard date stamped by the USPTO indicating receipt of Applicants' Amendment on July 28, 2003.

5. Fee (37 CFR 1.17(m))

Application status is:

- small entity – fee \$650.00.
  - Verified Statement attached.
  - Verified Statement filed.
- other than small entity – fee \$1,330.00.

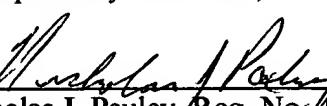
6. Payment of fee:

- Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated for any fees which may be due in connection with this Petition. Applicants believe no fee is due because a response was timely filed.  
The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.
- The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

The undersigned declares further that all statements made herein are of his or her own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: March 12, 2004

By:   
Nicholas J. Pauley, Reg. No. 44,999  
Phone No. (858) 845-8405

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Facsimile: (858) 658-2502



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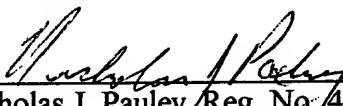
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STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING IN  
THE U.S. PATENT AND TRADEMARK OFFICE  
FIRST CLASS MAIL.

Mailed JULY 24, 2003:

DOCKET NO. 000190 NJP/VJP  
ENCLOSED ARE: AMENDMENT TRANSMITTAL LETTER; AMENDMENT IN  
THREE (3) PAGES; and POSTCARD.

APPLICANT: Maloney, et al.

ASSIGNEE: QUALCOMM Incorporated

SERIAL NO.: 09/755,312

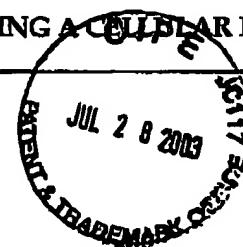
FILED: December 19, 2000

FOR: SYSTEM AND METHOD FOR PRE-PROGRAMMING A CELLULAR PHONE

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